

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

FRANK CARBONE, ANDREW CORZO,
SAVANNAH ROSE EKLUND, SIA HENRY,
ALEXANDER LEO-GUERRA, MICHAEL
MAERLENDER, BRANDON PIYEVSKY, KARA
SAFFRIN, and BRITTANY TATIANA WEAVER,
individually and on behalf of all others similarly situated,

Plaintiffs,

v.

BROWN UNIVERSITY, CALIFORNIA INSTITUTE
OF TECHNOLOGY, UNIVERSITY OF CHICAGO,
THE TRUSTEES OF COLUMBIA UNIVERSITY IN
THE CITY OF NEW YORK, CORNELL
UNIVERSITY, TRUSTEES OF DARTMOUTH
COLLEGE, DUKE UNIVERSITY, EMORY
UNIVERSITY, GEORGETOWN UNIVERSITY, THE
JOHNS HOPKINS UNIVERSITY, MASSACHUSETTS
INSTITUTE OF TECHNOLOGY, NORTHWESTERN
UNIVERSITY, UNIVERSITY OF NOTRE DAME DU
LAC, THE TRUSTEES OF THE UNIVERSITY OF
PENNSYLVANIA, WILLIAM MARSH RICE
UNIVERSITY, VANDERBILT UNIVERSITY, and
YALE UNIVERSITY,

Defendants.

Case No. 1:22-cv-00125

Hon. Matthew F. Kennelly

**[PROPOSED] ORDER
DENYING MOVING
DEFENDANTS' MOTION FOR
PROTECTIVE ORDER BASED
ON THEIR WITHDRAWAL
OF 568 EXEMPTION-BASED
DEFENSES AND REQUIRING
DISCOVERY**

The Court enters the following Order regarding the Motion for a Protective Order, Dkt. 276, filed by Defendants Brown University, The Trustees of Columbia University in the City of New York, Trustees of Dartmouth College, Northwestern University, University of Notre Dame du Lac, and Yale University (the “Movants”).

1. Movants’ Motion for a Protective order, Dkt. 276, is denied, and:

- a. Moving Defendants are required to produce Documents responsive to, and identify custodians and non-custodial sources of documents responsive to, the following Requests in Plaintiffs’ First Set of Requests for Production, including but not limited to those which relate to admissions decisions and development practices and efforts: 11, 12, 13, 14, 20, 21, 22, 23, 30, 31, 35, 58, 60, 61, 63, 77, 78, 79, 80, 85, 86, 87, 88, 94, 97, 98, 99, 100, 101, 102, 107, 108, 109, 110, 111, 113, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 135, 141, 142, 144, 145;
- b. Moving Defendants are also required to produce Documents responsive to, and identify custodians and non-custodial sources of documents responsive to, the following Requests in Plaintiffs’ First Set of Requests for Production, including but not limited to those which relate to admissions decisions and development practices and efforts: 4, 5, 41, 43, 49, 54, 55, 62, 84, 162; and
- c. Moving Defendants are further required to produce Documents responsive to, and identify custodians and non-custodial sources of documents responsive to, the following Requests in Plaintiffs’ Second Set of Requests for Production, including but not limited to those which relate to admissions decisions and development practices and efforts: 1, 2, 3, 4, 6.

2. By February 15, each Movant shall each designate appropriate custodians of documents from its President's Office and Development Office, to allow Plaintiffs to take discovery central to their theory of liability;
3. Movants are subject to any and all discovery orders entered by the Court as requested in the Proposed Form of Order (Exhibit E) to the January 13, 2023 Joint Status Report, Dkt. 274-6; and
4. Movants remain subject to all deadlines set forth in Case Management Order #1, Dkt. 195, and otherwise set by this Court.

SO ORDERED:

Dated: _____

Hon. Matthew F. Kennelly
United States District Judge